

Steps in the Legislative Process

Anyone may draft a bill, however, only members of Congress can introduce legislation. The official legislative process begins when a bill is numbered (H.R. signifies a House bill and S. a Senate bill), referred to a committee, and printed by the Government Printing Office.

Step 1: Referral to Committee.

Step 2: Committee Action. When a bill reaches a committee, it is placed on the committee's calendar. A bill can be referred to a subcommittee or considered by the committee as a whole. If a committee does not act on a bill, it is the equivalent of killing it.

Step 3: Subcommittee Review. Subcommittees study the bill and may hold hearings. Hearings provide the opportunity to put of the record the views of the executive branch, experts, and other public officials, supporters, and opponents of the legislation. Testimony can be given in person or submitted as a written statement.

Step 4: Mark Up. When hearings are completed, the subcommittee may meet to "mark up" the bill, that is, to make changes and amendments prior to recommending the bill to the full committee. If a subcommittee votes not to report legislation to the full committee, the bill dies.

Step 5: Committee Action to Report a Bill. After receiving a subcommittee's report, the full committee can conduct further study and hearings, or it can vote on the subcommittee's recommendations and any proposed amendment. The full committee then votes on its recommendation to the House or Senate. This procedure is called "ordering a bill reported."

Step 6: Publication of a Written Report. After a committee votes to have a bill reported, the committee chairman instructs staff to prepare a written report on the bill. The report describes the intent and scope of the legislation, impact on existing laws and programs, position of the executive branch, and views of dissenting members of the committee.

Step 7: Scheduling Floor Action. After a bill is reported back to the full House or Senate, it is placed in chronological order on the calendar. In the House there are several different legislative calendars and the Speaker and majority leader determine if, when and in what order bills come up. In the Senate there is only one legislative calendar.

Step 8: Debate. When a bill reaches the floor, there are rules and procedures governing the debate on legislation

Step 9: Voting. After the debate and the approval of any amendments, the bill is passed or defeated by the members voting. A quorum must be present in order to vote and a simple majority is required in most instances for the motion to carry.

Step 10: Referral to the Other Chamber. When a bill is passed by one chamber it is referred to the other, where it usually follows the same route through committee and floor action. This chamber may approved the bill as received, reject it, ignore it, or change it.

Step 11: Conference Committee Action. If only minor changes are made to a bill by the other chamber, it is common for the legislation to go back to the first chamber for concurrence. However, when the bill is significantly altered, a conference committee reconciles the differences between the House and Senate versions. If conferees are unable to reach agreement, the bill dies. If agreement is reached, a conference report is prepared describing the committee members' recommendations for changes. Both the House and Senate must approve of the conference report.

Step 12: Final Actions. After a bill has been approved by both the House and Senate in identical form, it is sent to the President. If the President approves of the legislation, he signs it and it becomes law. Or, the President can take no action for ten days, while Congress is in session, and it automatically becomes law. If the President opposes the bill he can veto it. Or, if he takes no action after Congress has adjourned its second session, it is a "pocket veto" and the legislation dies. Final laws are assigned a Public Law number and are codified in the U. S. Code.

Step 13: Overriding a Veto. If the President vetoes a bill, Congress may attempt to override it. This requires a two-thirds roll call vote in each chamber.